

ENVIRONMENTAL HEARINGS OFFICE

Minutes of Meeting June 10, 2008 9:00 a.m.

The June 2008 meeting was called to order by Chair Kathy Mix in the Boards' office in Lacey, Washington. Present were Chair Kathy Mix, Board Members Bill Lynch and Andrea McNamara Doyle, Administrative Appeal Judges Phyllis Macleod, Kay Brown and Cassandra Noble, Administrative Manager Robyn Bryant, Hearings Coordinator Debbie Joblonski and Administrative Secretary Janet Buechler. Minutes of the May 2008 meeting were read and approved.

Handouts were distributed for review which included the pollution, shoreline, forest practice, hydraulic, and environmental and land use appeals filed, a brief summary of all cases that have closed, the Case Statistics Report, and performance data for appeals for the preceding and current biennia.

Appellate Update

Chair Kathy Mix reported that there were no superior court appeals for this month, however, notice was received that two cases were reversed by the Superior Court in the last month, *I-5 Properties, et al. v. Ecology*, PCHB 05-063, Whatcom County Superior Court Cause No. 07-2-00550-8; and *May, et al. v. Robertson, et al.*, SHB 06-031, Pierce County Superior Court Cause No. 07-2-08064-9.

Performance Data

Performance data graphs were reviewed and discussed. Kathy stated that the goal was to create graphic presentations of performance matters to better visualize the statistics. After discussion of the format, it was recommended that in addition to the data concerning time lapse for appeals, graphs should be added for the board's involvement with mediation, motion practice, matters resolved on their own, and time spent on non-dispositive motions.

There was also discussion of the increase in the number of pages in the final decisions going out being considered in the overall time frame of appeals. Robyn will follow up with other agencies to see if they have a method of weighting their cases to allow for increased hearing time, length of decisions and motion practice. Kathy will also follow up with Robyn, Debbie and Jan regarding keeping track of the amount of pages going out.

Communications/Schedules/Quality Work Product

Implementation of new procedures to improve the quality of in-house communication and work product was proposed. Debbie indicated that she has put new procedures in place for reminding outside board members of calendar settings. Kathy stated that the front office will be responsible for pulling any files for the day's conferences and to remind everyone. Andrea brought up the question of who will determine which number is the correct number for each party to call for the phone conferences. Debbie indicated that at the time she sends out the information she reminds everyone to provide a correct number prior to the conference.

Editing of draft documents will now be done using the Track Changes feature of WORD. Hard copies will be proofed by Debbie with Jan as a backup and suggested changes will be entered using Track Changes. The document author will then be able to accept or reject any changes without manually retyping.

Creation of a Project List was proposed by Kathy. Initial items were creation of a decisions digest, creation of a style manual for decisions, and selecting data for creation of performance charts.

September 1 was set as a deadline for completion of the style manual. Phyllis, Kathy, Debbie and Jan will meet separately to begin work on the manual. A separate meeting will also be held with Kathy, Robyn, Debbie and Jan to formulate the performance charts.

Best Practices

Chair Kathy Mix brought up the need for Best Practices discussion among the Board and the Judges and separately as to office practices. Each month a new Best Practices office practice topic will be added to the agenda for discussion. Discussion among the Board and Judges will be scheduled separately for a later date.

Facilities Issues

Chair Kathy Mix brought up the possibility of an office move in the distant future. The current lease is up in June of 2010 and the current property owner's intentions for the building could be in question by that time.

Financial Report

Robyn Bryant reported that we are near the end of the fiscal year and that our expenditures for the year will be within our appropriation.

Strategic Plan

The EHO Strategic Plan is completed and copies were passed out to everyone at the meeting.

Hearing/Motion Packets

It was suggested that the issues list from the Pre-Hearing Order be included in the hearing/motions packet.

Announcements

Andrea announced that she has received reappointment to the Board from the Governor. If approved by the legislature, her term will continue through June 2014.

Meeting adjourned.

Janet Buechler
Administrative Secretary